Response under 37 C.F.R. § 1.116 Expedited Procedure Examining Group 3724

PATENT Attorney Docket No. 47279-5004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re	Application of:)		
Carst	ten GÜNTHER et al.	Confirmation No.: 1021		
Appl	ication No.: 10/590,509) Group Art Unit: 3724		
Filed	: June 12, 2007) Examiner: Willmon Fridie Jr.		
	CUTTING TOOL AND METHOD FOR CUTTING MATERIAL))		
Comi U.S.	omer Window, MAIL STOP AF missioner for Patents Patent and Trademark Office andria, VA 22314			
on.	A BATE BATE BATE OF OF A B	ICNATURE AT ECODNA		
	AMENDMENT TRAN	SMITTAL FORM		
1.	Transmitted herewith is an Amendment in response to the Final Office Action dated <u>December 3, 2009</u> .			
2.	Additional papers enclosed:			
		figures computer readable copy and/or amendment invention containing nucleotide and/or amino		

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	oceedings herein are for R. § 1.136(a) apply.	or a patent application	and the provisions of		
	Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.				
\boxtimes	Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:				
	Total Months	Fee for	[Fee for Small		
	Requested	Extension	Entity]		
	One month	\$ 130.00	\$ 65.00		
	Two months	\$ 490.00	\$ 245.00		
	Three months	\$ 1,110.00	\$ 555.00		
	Four months	\$ 1,730.00	\$ 865.00		
	Extension of time fee due with this request: \$130.00				
	If an additional extentherefor.	d, please consider this a Petition			
	An extension for months has already been secured and the fee paid therefor of is deducted from the total fee due for the total months cextension now requested.				

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	22	minus	26	0	x \$52 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$220 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s) \$390.00					+ \$0.00	
SUB-TOTAL =					\$0.00	
Reduction by ½ for filing by a small entity				- \$0.00		
TOTAL FEE =				\$0.00		

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No fee is to be paid at this time.

- Total Fee (\$130.00 for the one-month extension of time fee) is to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form.
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRIMRED BIDDLE & REATH LLP

Dated: March 24, 2010

By:

Jeffrey G. Killia

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